

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

JOINT APPLICATION FOR APPROVAL) CASE NO. 2006-00136
OF THE INDIRECT TRANSFER OF)
CONTROL RELATING TO THE MERGER)
OF AT&T, INC. AND BELLSOUTH)
CORPORATION)

**XSPEDIUS MANAGEMENT COMPANY SWITCHED SERVICES LLC'S
AND XSPEDIUS MANAGEMENT COMPANY OF LOUISVILLE, LLC'S
MOTION FOR AN ENLARGEMENT OF TIME TO
FILE DATA REQUESTS TO THE JOINT APPLICANTS**

Xspedius Management Company Switched Services, LLC and Xspedius Management Company of Louisville, LLC (collectively referred to herein as "Xspedius"), by counsel, hereby submit their Motion for an Enlargement of Time to File Data Requests to the Joint Applicants.¹ In support of their Motion to the Kentucky Public Service Commission (the "Commission"), the Movants state as follows:

1. On March 31, 2006, the Joint Applicants filed with this Commission for Approval of Indirect Transfer of Control Relating to the Merger of AT&T, Inc. and BellSouth Corporation.
2. On April 12, 2006, this Commission issued its first Order (the "Order") in the docket which, among other things, established a procedural schedule for the matter. Pursuant to ¶ 4 of the Commission's Order, "[t]he initial data request shall be filed by April 21, 2006, with responses by Applicants due no later than May 4, 2006."

¹The "Joint Applicants" in this docket include BellSouth Corporation and AT&T, Inc.

3. Soon after this docket was established, Movants contacted their usual Kentucky counsel regarding representation in the matter. Subsequently, both Movants were informed that such counsel could not represent them in the matter because of certain conflicts with other clients. Movants then diligently sought alternative Kentucky counsel to represent them in the docket.

4. After Middleton Reutlinger and the undersigned were retained by other competitive local exchange carriers ("CLEC") to intervene in the docket, Movants contacted the undersigned counsel regarding possible representation. After conflicts were cleared, and the undersigned counsel received instructions from Movants, Motions for Full Intervention for both Movants were prepared and are being filed contemporaneously herewith.

5. Obviously, by the time Movants were able to retain Kentucky counsel, the Commission's initial deadline for the filing of Data Requests to the Joint Applicants had passed, necessitating the filing of this Motion.

6. In light of Movants' diligent efforts to retain Kentucky counsel for intervention into this docket, and the fact that the public hearing on the matter is not scheduled until June 7, 2006, Movants hereby request a reasonable extension of the deadline for filing of initial Data Requests to the Joint Applicants until Tuesday, May 2, 2006. In conjunction, Joint Applicants' response time to any Data Requests filed by the Movants should be extended until Friday, May 12, 2006. By response dated April 26, 2006, Joint Applicants did not object to granting a similar extension to other intervenors who requested an extension of time to May 1, 2006, to file Data Requests. Likewise, Movants have no objection to the service of Data Requests by Joint Applicants on or before a reasonable time after the filing of this motion.

7. The requested extension to May 2, 2006 takes into account the undersigned counsel's unsuccessful efforts to file this motion on May 1, 2006, simultaneously with the Data Requests submitted by the other intervening CLECs represented by the undersigned firm. The undersigned counsel endeavored to make the electronic filings after having received the required User IDs from the Commission the afternoon of May 1, 2006. However, due to an inadvertant error, the supplied User ID did not function properly, and the undersigned was prohibited from logging in for purposes of making the electronic filing on Monday, May 1, 2006. On May 2, 2006, the undersigned counsel contacted the Commission, and received revised User IDs which are now being used to effectuate this electronic filing.

Submitted to and filed with the Kentucky Public Service Commission this 2nd day of May, 2006.

Respectfully submitted,

/s/ Henry S. Alford

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CERTIFICATE OF SERVICE

Counsel for movants, Xspedius Management Company Switched Services, LLC and Xspedius Management Company of Louisville, LLC, hereby certifies that a true and accurate electronic copy of this filing was transferred to the Commission via the Electronic Filing Center this 2nd day of May, 2006 and filed in hardcopy document form with the Commission also on the 2nd day of May, 2006. Further, consistent with the Commission's Order of April 12, 2006, notice of the filing of this Motion was served via electronic mail on all parties of record. Parties of record can access the information at the Commission's Electronic Filing Center located at <http://psc.ky.gov.efs/efsmain.aspx>.

/s/ Henry S. Alford

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